

FINAL Indian Nation Action Item Report
5/15/2019

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Nonresponsive based on revised scope						

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68	Seneca Nation of Indians	EPA Region 2 will request EPA Region 3 to alert Region 2 of any matters that could impact Seneca Nation lands	Complete	A formal consultation occurred on September 27, 2018 at the Seneca Nation's office. As a result of the consultation Region 2 made two commitments 1) To continue to engage with Region 3 and form a network which would include both the state of Pennsylvania and New York and 2) To sign up to receive the Pennsylvania Environmental Notice in order to find out information of interest to the Seneca so that EPA may inform the Nation prior to the them learning about matters through public means. In summary, EPA committed to better communication channels and improved transparency.	CWD-CWRB	

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69	Seneca Nation of Indians	Region 2 to inquire of Region 3 when Region 3 learned of Epiphany project and potential downstream impacts/concerns to SNI/Region	Complete	Region 2 actually learned about the project from the Seneca and immediately sent an inquiry to Region 3. Following the initial contact with Region 3, both regions collaborated to ensure that Region 2 could keep the Seneca Nation informed of any actions that have the potential to impact the Nation's waters. (Andrea Coats 1/30/2019) Prior to R2 contacting R3 they were unaware of the concerns of the Nation.(Andrea Coats 2/28/2018)	CWD	
70	Seneca Nation of Indians	Treatment as a Sovereign (TAS): share draft public notice with Nation	Complete	On August 14, 2018 the Seneca Nation of Indians (SNI) was approved for TAS under Section 106 of the Clean Water Act. SNI has met the elements required for approval of a WQS TAS program under Sections 303(c) and 401 of the CWA, with public notice publication to follow. The WQS TAS Public notice will be sent SNI prior to publication. Lisa Maybee notified on 11/29/2019 via email by Brent Gaylord that EPA sent letters to the governors of NY and PA and sent a copy of the public notice that will be posted in the Salamanca and Bradford Newspapers on December 6th.	CWD-CWRB	

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